

COMMISSION DIRECTIVE

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|------------------------------|-------------------------------------|------------|----------------------------------|
| ADMINISTRATIVE MATTERS | <input type="checkbox"/> | DATE | <u>September 19, 2007</u> |
| MOTOR CARRIER MATTERS | <input checked="" type="checkbox"/> | DOCKET NO. | <u>2007-18-T</u> |
| UTILITIES MATTERS | <input type="checkbox"/> | | <u></u> |

SUBJECT:

Docket No. 2007-18-T – Revisions to Articles 1 and 2 of the Commission's Regulations – Discuss this Matter with the Commission.

COMMISSION ACTION:

Move that the written report that is required under Section 1-23-111 of the South Carolina Code be issued with regard to the proposed changes to the Article 1 and Article 2 regulations. I further move that the report find that there is a need for certain changes to the proposed regulations as proposed at the June 21, 2007 hearing, and that the changes are reasonable. To be specific, Mr. Chairman, I move that we eliminate proposed regulation 103-133 (7) (A) (2) at this time, which concerns drug testing for holders of Class C Taxi and Class C-Charter Certificates. This would require the renumbering of the remaining portions of the regulation 103-133 (7) (A). Many questions were raised at the public hearing regarding drug testing methodologies and standards which have not been answered at this time. Further, the discussion on drug testing at the public hearing raises a question as to whether or not drug testing should be made applicable to all operators of vehicles owned by companies which hold transportation certificates issued by this Commission. For this reason, I further move that we establish a separate rulemaking proceeding to further consider the drug testing issue and any further changes to the transportation regulations that may be deemed appropriate. Accordingly, Mr. Chairman, I move that we promulgate the proposed transportation regulations as described, with the amendment stated above, and that we establish the described separate rulemaking proceeding.

PRESIDING Hamilton

| | MOTION | YES | NO | OTHER | | |
|------------------|-------------------------------------|-------------------------------------|--------------------------|-------|---------------------|--------------------------|
| | | | | | APPROVED | <input type="checkbox"/> |
| | | | | | ACCEPTED FOR FILING | <input type="checkbox"/> |
| CLYBURN | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | | DENIED | <input type="checkbox"/> |
| FLEMING | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | | AMENDED | <input type="checkbox"/> |
| HAMILTON | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | | TRANSFERRED | <input type="checkbox"/> |
| HOWARD | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | | SUSPENDED | <input type="checkbox"/> |
| MITCHELL | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | | CANCELED | <input type="checkbox"/> |
| MOSELEY | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | | SET FOR HEARING | <input type="checkbox"/> |
| WRIGHT | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | | ADVISED | <input type="checkbox"/> |
| | | | | | CARRIED OVER | <input type="checkbox"/> |
| Session: Regular | | | | | RECORDED BY | <u>JBS</u> |

Time of Session 2:30 PM